

Rwanda

Regulation governing the Provision of Hazardous Waste Services Regulation 2-R-SANEWATSAN of 2017

Legislation as at 22 March 2021

FRBR URI: /akn/rw/act/reg/2017/2-r-sanewatsan/eng@2021-03-22

There may have been updates since this file was created.

PDF created on 21 February 2024 at 13:52.

[Check for updates](#)



About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.laws.africa
info@laws.africa

There is no copyright on the legislative content of this document.

This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

Regulation governing the Provision of Hazardous Waste Services

Contents

Chapter One – General provisions	1
Article One – Purpose of this regulation	1
Article 2 – Definitions	1
Article 3 – Scope of this Regulation	1
Chapter II – Hazardous wastes	2
Article 4 – Characteristics of hazardous wastes	2
Article 5 – Segregation of hazardous waste	2
Article 6 – Requirements for packing material for hazardous waste	2
Article 7 – Types of containers for hazardous waste packing	2
Article 8 – Nature of containers used for packaging hazardous waste	3
Article 9 – Labeling of hazardous waste	3
Article 10 – Collection of hazardous waste	3
Article 11 – Requirements for hazardous waste collection and transportation	3
Article 12 – Transportation of hazardous waste	3
Article 13 – Storage facilities for hazardous wastes	4
Article 14 – Treatment of hazardous wastes	4
Article 15 – Occupational health and safety	4
Article 16 – Risk management	5
Chapter III – Licensing	5
Section One – License application and issuance procedures	5
Article 17 – License application for handling hazardous waste	5
Article 18 – Criteria for licenses issuance	5
Article 19 – Administrative requirements for license application	5
Article 20 – Review of license application	6
Article 21 – Procedure for license application	6
Article 22 – Decision on license application	6
Article 23 – Reasons for rejection of license application	7
Article 24 – Validity of license	7
Article 25 – License renewal	7
Article 26 – License transfer	7
Article 27 – License modification	7
Article 28 – Revocation or suspension of license	8
Article 29 – License fees	8
Section 2 – Licensee obligations and enforcement	8

Article 30 – Submission of report	8
Article 31 – Liability of the licensee	8
Article 32 – Inspection	8
Article 33 – Health and safety of employees	9
Article 34 – Staff training	9
Article 35 – Accident reporting and follow-up	9
Article 36 – Enforcement	9
Article 37 – Administrative sanctions	9
Chapter IV – Transitional and final provisions	9
Article 38 – Transitional period	9
Article 39 – Repealing provision	10
Article 40 – Commencement	10
Annex II	10

Rwanda

Regulation governing the Provision of Hazardous Waste Services Regulation 2-R-SANEWATSAN of 2017

Published in Official Gazette 10 on 22 March 2021

Assented to on 1 March 2017

Commenced on 1 March 2017

[This is the version of this document from 22 March 2021.]

The Regulatory Board of Rwanda Utilities Regulatory Authority;

Pursuant to Law n° 09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning, especially in Article 4;

Based on recommendations made during the consultative meeting held on 30/06/2016 between RURA and different stakeholders in sanitation sector;

After approval in its meeting of 21/02/2017;

ISSUES THE FOLLOWING REGULATION:

Chapter One General provisions

Article One – Purpose of this regulation

This regulation establishes a regulatory framework for effective and efficient collection, transportation and treatment of hazardous waste in order to protect the public health and the environment.

Article 2 – Definitions

In this regulation, the following terms have the following meanings:

- 1° **disposal**: any operation which does not lead to recycling, recovery or reuse but it includes physic-chemical, biological treatment, incineration and disposal in secured landfill;
- 2° **facility**: any establishment wherein the processes incidental to the handling, collection, reception, treatment, storage, recycling, recovery, reuse or disposal of hazardous wastes are carried out;
- 3° **hazardous wastes**: any substance whether solid, liquid or gaseous that can cause a serious harm to security, human health, and other biodiversity together with the quality of the environment;
- 4° **license**: any document issued by the Regulatory Authority which authorizes its holder to carry out the activity related to hazardous wastes management and handling as specified in this regulation;
- 5° **licensee**: a company, a cooperative or an individual who holds one of the licenses issued by the Regulatory Authority according to this regulation.

Article 3 – Scope of this Regulation

This Regulation applies to any company, cooperative or individual engaged in any type of activities that provide or intend to provide services of hazardous wastes collection, transportation or treatment.

Chapter II

Hazardous wastes

Article 4 – Characteristics of hazardous wastes

Hazardous wastes are characterized by one of the following:

- 1° may cause or significantly contribute to an increase in mortality, serious or incapacitating conditions or illness;
- 2° may cause a substantial present or potential hazard to human health, safety, welfare or to the environment when improperly stored, treated, transported, used, or disposed or otherwise managed;
- 3° under standard temperature and pressure is capable of causing fire or spontaneous chemical changes and when ignited burns so vigorously and persistently that it creates a hazard;
- 4° exhibit the characteristic of ignitability;
- 5° composed of any material with the ability to cause corrosion to steel;
- 6° exhibit the characteristics of reactivity such as reacting violently with water;
- 7° form potential explosive when mixed with water and present a danger to public health, safety, welfare or to the environment;
- 8° exhibit the characteristics of toxicity.

Article 5 – Segregation of hazardous waste

The generator of hazardous waste must ensure that hazardous waste is well segregated from other wastes to avoid any harm to the environment or to the community.

The segregation of hazardous waste must meet the following requirements:

- 1° all hazardous waste must be segregated according to their nature to prevent incompatible mixtures;
- 2° the segregation can be by hazard class such as flammable, oxidizer, pyrophoric, reactive, reducer, acid, base, and toxic.

Article 6 – Requirements for packing material for hazardous waste

The packing materials of hazardous waste must be:

- 1° inert and not react with hazardous waste;
- 2° able to absorb impact.

Article 7 – Types of containers for hazardous waste packing

The types of containers applicable for packing hazardous waste are the following:

- 1° bags;
- 2° boxes;
- 3° drums;
- 4° jerrycans;
- 5° combination packaging or composite packaging.

Article 8 – Nature of containers used for packaging hazardous waste

The containers used for packaging hazardous waste must be able to withstand normal handling conditions and retain integrity for at least six (6) months. Those containers must meet the following requirements:

- 1° all packaging material must be of such strength, construction and type that would not break or become defective during transportation;
- 2° all packaging material must be packaged and sealed in such a way that those spillages of hazardous wastes or substances are prevented during transportation due to jerks and vibrations caused by uneven road surface;
- 3° re-packaging materials including that used for fastening must not be affected by the contents or form a dangerous combination with them;
- 4° packaging material must be such that there is no significant chemical or galvanic action among any of the material in the package.

Article 9 – Labeling of hazardous waste

All hazardous waste containers must be clearly labeled to indicate the presence of hazardous waste. The label must be waterproof and firmly stuck to the containers so that they cannot be removed.

Containers storing hazardous waste must be labeled with the words “HAZARDOUS WASTE, IMYAMDA IHUMANYA or DÉCHETS DANGEREUX” or warning or caution statements such as ICYITONDERWA, WARNING, AVERTISSEMENT “or “ITONDE, CAUTION, ATTENTION”.

The information on the label must include the type of waste, origin, name and address and telephone number of the generator, hazardous property, if is flammable, toxic any other nature, and any symbol for the hazardous property.

Article 10 – Collection of hazardous waste

Any generator of hazardous waste must ensure that hazardous wastes generated are collected in appropriate manner and by a licensee. The personnel collecting hazardous waste must have personal protective equipment to avoid any physical contact with waste.

Article 11 – Requirements for hazardous waste collection and transportation

A person who intends to collect and transport hazardous waste must fulfill the following requirements:

- 1° to have appropriate vehicles designed to facilitate the collection, transportation and removal of hazardous waste;
- 2° to have a signed contract between the owner of hazardous waste and the person in charge of their reception for treatment.

Article 12 – Transportation of hazardous waste

The transportation of hazardous wastes must be compliant with the following requirements:

- 1° the transportation vehicles and containers must be suitably designed to transport hazardous wastes and must be fully closed all times;
- 2° vehicles must be painted in a color that is easy to facilitate identification of the transportation of hazardous waste;

- 3° vehicle must be fitted with mechanical handling equipment for safe handling and transportation of hazardous wastes and structurally sound and leak free to avoid contamination of local environment;
- 4° the words “HAZARDOUS WASTE, IMYANDA IHUMANYA or DÉCHETS DANGEREUX” must be displayed on all sides of the vehicle for easy identification;
- 5° transporter must carry documents of manifest for the wastes during transportation;
- 6° trucks transporting hazardous wastes must be dedicated only for it and shall not be used for any other purpose;
- 7° each vehicle must carry first-aid kit, spill control equipment and fire extinguisher;
- 8° vehicles transporting hazardous wastes must have a speed governor installation system to avoid any eventuality of over-speeding during the transportation of hazardous waste;
- 9° drivers must be properly trained for handling the emergency situations and safety aspects involved in the transportation of hazardous wastes;
- 10° the design of the trucks must be such that there is no spillage during transportation and safety devices installed to detect any leak of liquid waste from the tank.

Article 13 – Storage facilities for hazardous wastes

The storage of hazardous waste before treatment must be handled with extreme care to avoid any contamination or hazard.

Storage facilities for hazardous wastes must fulfill the following requirements:

- 1° the storage area must have a proper containment system with a collection area to collect and remove any leak, spill or precipitation;
- 2° the designated hazardous waste storage area must have proper enclosures, safety and avoid open storage;
- 3° signboards showing precautionary measures to be taken in case of normal and emergency situations must be displayed at appropriate locations;
- 4° manual operations within storage area are to be avoided to the extent possible;
- 5° proper precautions need to be taken in case of personnel use particularly during loading or unloading of hazardous waste.

Article 14 – Treatment of hazardous wastes

Any person that provides or intends to provide the services of hazardous waste treatment must treat or cause to be treated such hazardous waste and must operate under a license to provide such services.

Any products treated must be disposed or treated in accordance with the conditions set by the Regulatory Authority in consultation with the concerned stakeholders.

Article 15 – Occupational health and safety

The services providers for treating hazardous wastes must ensure the safety of employees, visitors and other users within safe working conditions.

Specifically, the services providers for treating hazardous wastes must be compliant with the following conditions:

- 1° to have hazard warning signs including signs in three (3) official languages together with appropriate information regarding remedial action;

- 2° to provide adequate safety and protective equipment, including masks, safety shoes, eye protection gadgets and other safety equipment to employees involved in waste collection, transportation and handling;
- 3° to provide instructions and appropriate trainings to employees to minimize the risks;
- 4° to provide social and medical insurance to employees to ensure treatment during accident, illness or injury;
- 5° to provide risk prevention and management facilities.

Article 16 – Risk management

The licensee must take appropriate measures by putting in place a structured program of risk management as well as a health and safety policy in order to minimize risks that may arise from daily operations.

Chapter III Licensing

Section One – License application and issuance procedures

Article 17 – License application for handling hazardous waste

A person who provides or intends to provide the services of hazardous wastes collection, transportation or treatment must acquire a license to provide such services from the Regulatory Authority.

Article 18 – Criteria for licenses issuance

The Regulatory Authority issues a license for hazardous wastes collection, transportation and treatment if the applicant:

- 1° has fulfilled all technical, operational and safety requirements in accordance with this regulation and relevant laws;
- 2° has the financial capacity and readiness to perform all related activities applied for and to provide safe and reliable services in accordance with this regulation and relevant laws;
- 3° has sufficient employees with appropriate qualifications to perform their duties;
- 4° key members of the management have not been convicted for any significant violation of economic or environmental law or any actions related to fraud;
- 5° was not found liable for significant license violations or license revoked in Rwanda;
- 6° has complied with any other substantive criteria that the Regulatory Authority finds needful to fully protect the public health, safety and welfare.

Article 19 – Administrative requirements for license application

A person providing or intending to provide services related to hazardous wastes must apply for a license to the Regulatory Authority.

The applicant for license of collection and transportation of hazardous wastes must provide the following documents:

- 1° application letter addressed to the Director General;

- 2° duly filled application form;
- 3° certificate of domestic company or cooperative registration, where applicable;
- 4° bank slip for the payment of license application fees;
- 5° health and safety policy for employees;
- 6° motor vehicle inspection certificate;
- 7° copy of environment impact assessment;
- 8° copies of medical insurance for employees;
- 9° business plan for five (5) years;
- 10° to present a proof of ownership of at least one (1) owned appropriate vehicle for the collection and transportation of hazardous wastes;
- 11° specifications of equipment to be used for the treatment of hazardous waste.

Article 20 – Review of license application

Following the submission of license application, the Regulatory Authority must process with the review of license application in accordance with licensing process and procedures prescribed in this regulation:

- 1° any license application determined by the Regulatory Authority to be incomplete is considered a defective filing;
- 2° any license application that has not made full payment of all regulatory fees due to the Regulatory Authority under a prior license is considered to be a defective filing until full payment of the outstanding balance is made;
- 3° the Regulatory Authority may require the applicant to correct defective filing before any further proceedings take place.

Article 21 – Procedure for license application

The Regulatory Authority may, upon scrutiny of the application, within fourteen (14) working days after the receipt of the application, notify and require the applicant to provide additional information, particulars or documents as considered necessary for the purpose of dealing with the application analysis.

Where the application is rejected, the Regulatory Authority must:

- 1° inform the applicant in writing the reasons for rejection within five (5) working days;
- 2° if necessary, ask for required amendments to the application or provision of additional information within fourteen (14) working days for the application to be reconsidered.

Article 22 – Decision on license application

After the assessment process, the Regulatory Authority either grants the license or reject the application and such decision is communicated to the applicants.

In case the license is granted, it is issued to the applicant upon the payment of license fee specified in annex I of this regulation.

In case the application is rejected, the Regulatory Authority must notify the applicant in writing the reason of such refusal.

Article 23 – Reasons for rejection of license application

The Regulatory Authority rejects a license application when it is found that:

- 1° the application is incomplete, and the requested information was not submitted within the deadline set by the Regulatory Authority;
- 2° the applicant failed to demonstrate that he or she can meet the criteria for license issuance;
- 3° the applicant failed to demonstrate the technical or financial capacity to carry out the requested services;
- 4° the applicant has a history of significant criminal, civil or license violations for economic, environmental, or fraudulent acts;
- 5° the applicant failed to comply with the Regulatory Authority orders, information requests, or other decisions during a prior license term;
- 6° the applicant failed to pay an application fee or regulatory fee due to the Regulatory Authority under the previous license;
- 7° the applicant is in, or about to enter into insolvency, bankruptcy or liquidation;
- 8° the applicant failed to provide any other information the Regulatory Authority determines necessary to protect the public health, safety and welfare.

Article 24 – Validity of license

A license for the collection, transportation and treatment of hazardous wastes is granted for a period of five (5) years provided that the licensee complies with relevant laws, rules and regulations.

Article 25 – License renewal

An application for renewal of license must be made at least sixty (60) days before the date of expiry of the existing license.

The license renewal proceeding is subjected to the same procedures as the new license application. The licensee must provide a financial report and the proof of payment of the Regulatory fees for the previous years.

The Regulatory Authority must make its decision within twenty (20) days prior to the expiration of the valid license.

The license renewal application shall not be considered if the applicant is not complying with this regulation.

Article 26 – License transfer

The transfer of licenses, including direct or indirect sale, assignment, conveyance, lease or other transfer of assets or activities subject to a license to a different individual or institution is subjected to a prior written approval of the Regulatory Authority.

Approval for license transfer is granted after consideration of the application of license transfer and if the proposed transferee meet all the conditions to be granted the relevant license.

Article 27 – License modification

A license modification may be initiated by the Regulatory Authority or upon the request of the licensee.

The Regulatory Authority may modify a license before its expiration term when it determines that a modification of the license is needed in order to respond to:

- 1° the inability of the licensee to comply with existing laws and regulations;
- 2° to overcome events beyond licensee's control;
- 3° changes in the ownership or organisational status of the licensee or shareholding.

Article 28 – Revocation or suspension of license

The Regulatory Authority, may, if the licensee has failed to comply with any law related to hazardous waste, regulation or the conditions of the license and after giving him or her a reasonable opportunity of being heard and after recording reasons thereof in writing suspend or revoke the license issued under this regulation for such period as it considers necessary in the public interest.

Upon suspension or revocation of the license, the Regulatory Authority may give directions to the person whose license has been suspended or revoked for the safe storage of hazardous wastes, and such person complying with such directives.

Article 29 – License fees

The licensee must pay license fees and the regulatory fees specified in annex I of this regulation.

Section 2 – Licensee obligations and enforcement

Article 30 – Submission of report

The licensee must maintain records that accurately track the daily operations regarding management and handling of hazardous wastes.

Annual operational and financial reports must be submitted to the Regulatory Authority by the end of March of each year. All records and copies of all reports and other documents required must be kept by the licensee for at least three (3) years.

The licensee must also provide, within specified time, any information, which the Regulatory Authority may request, and which is deemed to be relevant in compliance with license terms and conditions.

Article 31 – Liability of the licensee

The licensee is liable for all damages caused to the environment or third party due to improper handling of hazardous wastes.

The licensee is liable to pay administrative fines as levied for any violation of the provisions under this regulation.

Article 32 – Inspection

The Regulatory Authority pays planned and *ad hoc* inspections to the licensee facilities as may be needed.

The Regulatory Authority or any person acting on its behalf has the right to inspect the hazardous wastes facilities at any time during working hours and the licensee must cooperate with inspectors and provide all relevant documents as requested.

The Regulatory Authority has the right to inspect the licensee premises at any time during working hours and he or she must cooperate with inspectors and provide all relevant documents as requested.

Article 33 – Health and safety of employees

The licensee must ensure that employees are aware and understand all the health and safety practices and advices given in the operation and maintenance manuals.

The safety of workers of the facilities for hazardous wastes treatment and visitors must be taken into consideration by the licensee considering various applicable laws and regulations.

The licensee must provide the personnel managing and handling hazardous waste the following equipments:

- 1° adequate protective and safety clothing;
- 2° adequate water and appropriate equipment or facilities for the management and handling the hazardous wastes;
- 3° first aid facilities and training;
- 4° social and medical insurances;
- 5° Medical check-ups of all workers of the facility must be conducted on annual basis by registered medical practitioners.

Article 34 – Staff training

Staff intended to handle hazardous wastes must receive adequate training to ensure that they fully understand the overall procedures, hazardous wastes characteristics, operational and emergency procedures.

The must also be able to carry out authorised activity in a manner that is not hazardous to public health, safety, nor the environment.

Article 35 – Accident reporting and follow-up

The licensee must immediately report to the Regulatory Authority any situation or accident that occurs and any measures taken to manage the situation.

Article 36 – Enforcement

The licensee must ensure proper operation including equipment, control systems, and vehicles and must comply all the times with the provisions of this regulation and all relevant laws.

Article 37 – Administrative sanctions

A licensee who contravenes with the provisions of this regulation is subjected to administrative fines.

Faults and related administrative sanctions are in annex II of this regulation.

Chapter IV Transitional and final provisions

Article 38 – Transitional period

A person operating activities of effective and efficient collection, transportation and treatment of hazardous waste without license is given a period of not exceeding three (3) months, counted from the date of signature of this regulation, to comply with the provisions of this regulation.

Article 39 – Repealing provision

All prior provisions contrary to this regulation are repealed.

Article 40 – Commencement

This regulation comes into force on the date of its signature by the Chairperson of the Regulatory Board.

Annex I

Application fee	10,000frw
License fee	200,000frw

Annex II

Administrative faults and their sanctions

Fault	Sanction
Operating activities of effective and efficient collection, transportation and treatment of hazardous waste without license	FRW 200,000
Operating with expired license	FRW 200,000
Failure to provide information required by the Regulatory Authority	FRW 500,000 - FRW 1,000,000
Provide any false, inaccurate, incomplete or misleading information to RURA	FRW 1,000,000 and/or revocation of the license
Fail to submit a report	Sanctions provided in Board Decision n° 003/BD/ICA-CLIA/RURA/2015 determining the contribution levied on annual turnover of the regulated services
Any repetitive failure to comply with the provisions of these regulations	Revocation of license